

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SNMP RESEARCH, INC. and SNMP
RESEARCH INTERNATIONAL, INC.,

Plaintiffs,

v.

BROADCOM INC.; BROCADE
COMMUNICATIONS SYSTEMS LLC; and
EXTREME NETWORKS, INC.

Defendants.

Case No. 3:20-cv-00451

**DEFENDANTS' MOTION FOR LEAVE TO FILE PREVIOUSLY FILED DOCUMENTS
UNDER SEAL**

Pursuant to Fed. R. Civ. P. 5.2, E.D. Tenn. Local Rule 26.2, and this Court's Order Regarding Sealing Confidential Information (Dkt. No. 11), Broadcom Inc. ("Broadcom") and Brocade Communications Systems LLC ("Brocade") (collectively, "Defendants") respectfully request that this Court remove Document 156-13 and Document 177 and seal portions of these documents for the reasons indicated below and in Defendants' previously filed motion for leave to file documents under seal (Dkt. 158).

Additionally, as required by the Memorandum and Order Regarding Sealing Confidential Information, the unredacted versions of the documents referenced herein are provided as exhibits to this Motion and since only a portion of these documents are redacted, those portions of the documents are highlighted.

A. Document 156-13

On July 22, 2022, Defendants inadvertently filed an unredacted version of the Declaration of Martin Skagen in Support of Evidentiary Supplement in Support of Defendants' Joint Motion to Dismiss Plaintiffs' Complaint or, Alternatively, to Transfer Venue (Doc. 156-13) ("Skagen Declaration"). Defendants had moved for leave to conditionally file portions of the Skagen Declaration under seal on the same day. (Dkt. 158). As previously stated, Dkt. 158 at 4, portions of paragraphs 2 and 5 of the Skagen Declaration relate to the License Agreement with the Plaintiffs and they may want to argue that this information is confidential and should be sealed. Plaintiffs have since confirmed their position that this information should be sealed.

Defendants respectfully request that Document 156-13 be removed and replaced with the redacted version attached as Exhibit A to this motion.

B. Document 171

On August 2, 2022, Defendants filed its Brief in Opposition to Plaintiffs' Motion to Compel Discovery, Determine Sufficiency of Request for Admission Responses, and for Sanctions as to Defendants Broadcom Inc. and Brocade Communications Systems LLC (Dkt. 171) ("Opposition to Motion to Compel"). Defendants now move for leave to conditionally file portions of the Opposition to the Motion to Compel, under seal. Because these portions relate to the License Agreement with the Plaintiffs, Plaintiffs may want to argue that this information is confidential and should be sealed.

Defendants also respectfully request that Document 171 be removed and replaced with the redacted versions attached as Exhibit B.

Dated: August 4, 2022

HUESTON HENNIGAN LLP

By: /s/ Alison Plessman
Alison Plessman
Attorneys for Defendants
Broadcom Inc.
Brocade Communications Systems LLC